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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BARBARA A. WILHELM,

Plaintiff

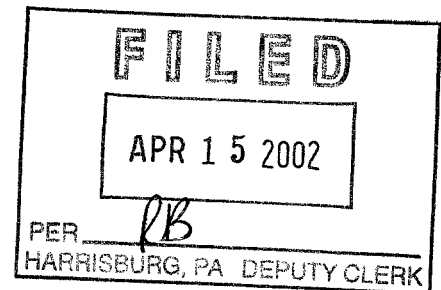
v.

COMMONWEALTH OF PA.;
PENNSYLVANIA STATE POLICE;
COLONEL PAUL J. EVANKO,
COMMISSIONER; LIEUTENANT
COLONEL THOMAS K. COURY; and
CAPTAIN MICHAEL. D. SIMMERS,

Defendants

NO. 1:CV-01-1057

(JUDGE RAMBO)✓



**MOTION FOR ENLARGEMENT OF ONE DAY
TO FILE DEFENDANTS' MOTION FOR PARTIAL
SUMMARY JUDGMENT, SUPPORTING BRIEF,
SUPPORTING DOCUMENTS AND STATEMENT
OF MATERIAL UNDISPUTED FACTS**

Pursuant to Fed.R.Civ.P. 6(b), defendants respectfully request the Court to enlarge by 1 day the time within which defendants must file their motion for summary judgment, all supporting documentation and their legal memorandum. In support of this motion defendants state as follows:

1. This action alleges sex discrimination and retaliation in connection with plaintiff's employment with the Pennsylvania State Police.
2. The complaint raises numerous factual and legal issues including discrimination in compensation under the Equal Pay Act, 29 U.S.C. §206(d) and the

Pennsylvania Human Relations Act, 43 Pa. Stat. Ann., tit. 43, §955; discrimination in the conditions of employment under Title VII and the Human Relations Act; discrimination and retaliation in connection with two promotions under Title VII, the Human Relations Act and the Pennsylvania Whistleblower Law and discrimination and retaliation under the same statutes in connections with plaintiff's dismissal.

3. Defendants intend to file a motion for partial summary judgment addressing all but one of these claims.

4. By Order of this Court dated March 1, 2002, their motion and supporting materials are due today.

5. The motion, supporting documentation and legal memorandum are substantially complete, however they require final review and proofreading to insure that the materials are complete and properly cited.

6. Because this case involves numerous depositions, approximately fifteen were taken, defendants do not believe that this review will be completed today.


7. In addition, defendants are awaiting a signed declaration for use in support of their motion. The declarant thought she would be able to return it today, but was unable to do so because of her involvement in another matter.

8. The requested enlargement is small and will not substantially delay the disposition of this matter nor will it prejudice the plaintiff.

WHEREFORE, defendants respectfully request the Court to enlarge by 1 day the time within which they must file their motion for partial summary judgment and the supporting documentation and legal memorandum.

Respectfully submitted,

D. MICHAEL FISHER
Attorney General


BY: 
SUSAN J. FORNEY
Chief Deputy Attorney General
I.D. No. 27744

Office of Attorney General
Litigation Section
15th Floor, Strawberry Square
Harrisburg, PA 17120
(717) 787-9831

DATED: April 15, 2002

CERTIFICATE OF NON-CONCURRENCE


I hereby certify that on April 15, 2002, I called opposing counsel's office to seek concurrence in the foregoing motion. I left a message regarding said motion and have not heard anything in return.


SUSAN J. FORNEY
Chief Deputy Attorney General

CERTIFICATE OF SERVICE

I, **SUSAN J. FORNEY**, Chief Deputy Attorney General for the Commonwealth of Pennsylvania, hereby certify that on April 15, 2002, I caused to be served a copy of the foregoing document entitled **Motion for Enlargement of One Day to File Defendants' Motion for Partial Summary Judgment, Supporting Brief, Supporting Documents, and Statement of Material Undisputed Facts**, by depositing same in the United States Mail, first class, postage prepaid, in Harrisburg, Pennsylvania upon the following:

**Nathan C. Pringle, Jr., Esquire
3601 N. Progress Avenue, Suite 200
Harrisburg, PA 17110**



SUSAN J. FORNEY
Chief Deputy Attorney General
I.D. No. 27744